



**STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

**Aging and Disability Services
Aging and Long-Term Support Administration
PO Box 45600, Olympia, WA 98504-5050**

October 3, 2013

CERTIFIED MAIL 7007 1490 0003 4201 5852

Wang Yea
Kheng Eung
Rose Hill Adult Family Home Care
8004 132nd Avenue NE
Redmond WA 98052

Adult Family Home License #236300

**IMPOSITION OF CIVIL FINE AND
IMPOSITION OF CONDITIONS ON A LICENSE**

Dear Wang Yea and Kheng Eung:

This letter constitutes formal notice of the imposition of a civil fine and the imposition of conditions on the license for your adult family home, located at **8004 132nd Avenue NE, Redmond**, by the State of Washington, Department of Social and Health Services, pursuant to the Revised Code of Washington (RCW) 70.128.160 and Washington Administrative Code 388-76-10940.

The civil fine is based on the following violations of the RCW and/or WAC found by the department in your adult family home. These and other deficiencies are more fully described in the attached Statement of Deficiencies report completed by the department on **September 17, 2013**.

WAC 388-76-10165(1)(b) Background checks. **\$100.00**

The licensee failed to ensure a household member living in the home had a required background check.

WAC 388-76-10525(2)(d) Resident rights—Description. **\$100.00**

The licensee failed post the name, address, and phone number of protection and advocacy systems. This is a repeat violation of deficiencies cited on May 3, 2012 and November 26, 2012.

WAC 388-76-10585(1)(a)(b) Resident rights—Examination of inspection results. 100.00

The licensee failed to place a copy of the most recent complaint investigation reports in a visible location. This is a repeat violation of deficiencies cited on April 23, 2013 and November 26, 2012.

WAC 388-76-10750(1)(2) Safety and maintenance. \$500.00

The licensee failed to keep the home clean with a safe and sanitary environment free of hazards. This is a repeat violation of deficiencies cited on November 9, 2010 and April 23, 2012.

WAC 388-76-10895(1)(2) Emergency evacuation drills—Frequency and participation. \$500.00

The licensee failed to conduct fire drills as required. This is a repeat violation of deficiencies cited on August 7, 2009, April 23, 2012, and November 26, 2012. .

The conditions are based on violations of the Revised Code of Washington (RCW) and Washington Administrative Code (WAC) regulations found by the department at your adult family home. These and other deficiencies are more fully described in the attached Statement of Deficiencies report completed by the department on **September 17, 2013**.

WAC 388-76-10400(4) Care and services.

The licensee failed to ensure a registered nurse delegated provider to administer medication to one resident.

WAC 388-76-10430(1)(2)(b-d)(3) Medication system.

The licensee failed to ensure two residents received medication assistance from the staff as required and residents received medications as prescribed.

WAC 388-76-10475(1)(2)(b-d) Medication log.

The licensee failed to ensure to keep up-to-date the daily medication log with appropriated dosage for two residents.

WAC 388-76-10480(3)(4)(a-d) Medication organizers.

The licensee failed to ensure that the medication organizer for one resident was labeled with required information – the names of the medications; their dosages and frequency; and were readily identifiable for caregivers giving the medications.

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The department has determined that the following conditions shall be placed on your adult family home license:

- *The Provider and Co-Provider must hire at their own expense a registered nurse, not affiliated with the home, familiar with adult family home regulations to assist provider to develop and implement a system for managing medication. The system will ensure:*
 - *Residents receive medication as prescribed;*
 - *Medication logs are complete and accurate;*
 - *Staff receive required nurse delegation;*
 - *All medication organizers are accurately labeled;*
 - *All staff receives training.*
- *Nurse consultant will begin no later than October 10, 2013,*
- *The provider will give the consultant a copy of the September 17, 2013 Statement of Deficiencies.*
- *The consultant will be available to answer questions by the department.*
- *The licensee must post the license with the enclosed Notice of Conditions with the license in a visible location in a common use area.*

The effective date of the conditions on your license is **October 3, 2013**. As provided in RCW 70.128.160, WAC 388-76-10990 (6), the effective date of the conditions on your license will not be postponed pending an administrative hearing or informal dispute resolution review.

A copy of this letter and a copy of the enclosed Statement of Deficiencies must be included with your request. Send your request to:

Plan of Correction/Attestation

You Must:

Return the plan, on the enclosed report, within 10 calendar days after you receive this letter.

Include the following in your plan for each deficiency:

- The date you have or will correct each deficiency; and
- Provide a signature and date certifying that you have or will take corrective measures to correct each cited deficiency.

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Send your plan to:

Delores Usea, Field Manager
District 2, Unit C
20425 72nd Ave South, Suite 400
Kent, WA 98032-2388
Phone: (253) 234-6007 / Fax: (253) 395-5071

If no hearing is requested, the fine is due twenty-eight (28) calendar days after receipt of this notice. Please remit a check for **\$1,300.00** payable to the Department of Social and Health Services. The check should be sent to:

DSHS Office of Financial Recovery
PO Box 9501
Olympia, Washington 98507-9501

If payment has not been received within twenty-eight (28) days after receipt of this notice, interest will begin to accrue on the balance at the rate of one percent per month. If you do not submit a hearing request or make payment within twenty-eight (28) days, the balance due the department will be recovered.

As provided in RCW 70.128, you may request an informal dispute resolution review of enforcement actions initiated in response to a Statement of Deficiencies report. During the informal dispute resolution process you also have the right to present written evidence refuting this action. A request for informal dispute resolution review will not change the deadline for you to request an administrative hearing. Informal dispute resolution review by the department is not binding in an administrative hearing.

To request an informal dispute resolution review, send your written request to:

Informal Dispute Resolution Program Manager
Residential Care Services
PO Box 45600
Olympia, Washington 98504-5600
Fax (360)725-3225

The written request should:

- Identify the citation and/or enforcement action that is disputed;
- Explain why the home is disputing the action;
- Indicate the type of dispute resolution process you prefer (direct meeting, telephone conference or documentation review); and
- Be sent within 10 working days of your receipt of this notice.

You may contest the civil fine and the conditions on your license by requesting an administrative hearing. The Office of Administrative Hearings must receive your written

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request for a hearing within twenty-eight (28) calendar days following receipt of this letter. A copy of this letter and a copy of the enclosed Statement of Deficiencies must be included with your request. Send your request to:

Office of Administrative Hearings
PO Box 42489
Olympia, Washington 98504-2489

If you have any questions, please contact Delores Usea at (253) 234-6007.

Sincerely,

Lori Melchiori, Ph.D.
Assistant Director
Residential Care Services

Enclosure

cc: Robert Ogolsky, Compliance Specialist
Field Manager, District 2, Unit C
RCS District Administrator, District 2
HCS Regional Administrator, Region 2
DDD Regional Administrator, Region 2
WA LTC Ombuds
Area Agency on Aging, AAA-King
Office of Financial Recovery, Vendor Program Unit
Medicaid Fraud Control Unit
Judi Plesha, HCS
BAM